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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO. 239 OF 2007

Office Notes, Office Memoranda of : coram, appearances, Court's Orders: or directions and Registrar Orders:	Court's or Judge's orders

Mr.R.B. Deshmukh for the applicant.

Mr.Rajesh More, A.P.P. for the State.

CORAM : D.G. KARNIK, J.

DATE : 19TH JULY 2007

P.C. :

1. Heard learned counsel for the applicant.

2. This revision application is directed against the judgment and order dated 9th January 2007 passed by the Judicial Magistrate, First Class, Karmala acquitting the respondent no.1.

3. According to the applicant, he had taken a loan of Rs.50,000/- from the respondent no.1 - accused and got executed a sale deed in respect of an agricultural land along with the agreement to reconvey the same for Rs.1,00,000/-, but he failed to reconvey

the land in spite of willingness of the applicant to repay the loan. After considering the evidence adduced by the applicant, the trial court held that the allegations were not proved. View taken by the learned Magistrate is a possible view on facts and the benefit of doubt, if any, must go to the accused.

4. It appears that there is a civil dispute between the parties and the present complaint has been filed for resolution of the said civil dispute.

5. In the circumstances, no case for entertaining a revision is made out. The revision application is therefore dismissed summarily.

(D.G. KARNIK, J.)